

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,                  )  
    )  
Plaintiff,                                    )  
    )  
v.   )       Case No. 4:13 CR 323 CDP-2  
    )  
MELVIN SCHERRER,                            )  
    )  
Defendant.                                    )

**ORDER**

This matter is before the Court on defendant Melvin Scherrer's motions to suppress evidence and statements. The motions were referred to United States Magistrate Judge David D. Noce under 28 U.S.C. § 636(b). Judge Noce held an evidentiary hearing and thereafter filed his Report and Recommendation, which recommended that the motions be denied. Defendant filed timely objections to the Magistrate Judge's recommendations.

I have conducted a *de novo* review of all matters relevant to the motions, including listening to the recording of the hearing, reviewing the exhibits, and considering all the legal arguments. After careful consideration, I will adopt and sustain the thorough reasoning of Magistrate Judge Noce set forth in support of her recommended rulings issued on October 8, 2014. The government properly obtained a search warrant, supported by ample probable cause, to engage in GPS

monitoring of defendant's vehicle. The search warrant for defendant's residence was also supported by ample probable cause. The orders authorizing Title III wiretaps were supported by probable cause, were properly issued and met all the requirements of the statutes. The wiretaps were properly monitored and minimized as required by the statute. There is no basis for suppressing any of the evidence.

Accordingly,

**IT IS HEREBY ORDERED** that the Report and Recommendation of the United States Magistrate Judge [#503] is **SUSTAINED, ADOPTED, and INCORPORATED** herein.

**IT IS FURTHER ORDERED** that defendant's oral motion to suppress entered at the time of his arraignment [#137], his motion to suppress evidence obtained through search of residence [#457] and his motion to suppress global positioning system and intercepted wire and electronic communications [#459] are denied.

**IT IS FURTHER ORDERED** that defendant's motion to suppress statements [#458] is denied as moot.

  
CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 7<sup>th</sup> day of November, 2014.